

Docket No. 4007620-173751

PATENT

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/Holly D. Kozlowski/

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Annette Granéli et al : Confirmation No.: 2637

Serial No.: 10/552,649 : Group Art Unit: 4121

Filing Date: December 4, 2006 : Examiner: Dennis Heyer

For: **Surface Immobilised Multilayer Structure of Vesicles**

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The present Response to Restriction and Election Requirements is submitted in reply to the Official Action dated February 4, 2009.

In the Official Action, the Examiner required restriction under 35 U.S.C. §§121 and 372 between Groups I-IX, as set forth in the Official Action at pages 2-3. The Examiner asserted that the inventions of Groups I-IX lack unity of invention and do not relate to a single general inventive concept under Rule 13.1. Applicants hereby elect Group I, claims 1-10, directed to a biologically functional surface immobilized multilayer structure comprising a plurality of vesicles. The restriction requirement is traversed on the basis that it would not be unduly burdensome for the Examiner to examine all claims in this application owing to overlapping fields of search. Moreover, as claims 49 and 54-62 all depend directly or indirectly from claim

1, these claims should be examined with claim 1. In the event that the restriction requirement is maintained in its entirety, rejoinder of claims 49 and 54-62 is requested upon allowance of claim 1 from which they depend.

The Examiner also required an election of various species on the basis that the species are deemed to lack unity of invention as well. Specifically, the Examiner indicated that (1) Applicants should indicate whether or not the structures of the independent claims are coated with an outer shell and, if so, elect a single compound for the coating; (2) Applicants should indicate whether or not the interior volume comprises a disclosed compound, and, if so, elect a single compound therein; and (3) Applicants should indicate whether or not the structures of the independent claims are adapted for release and, if so, elect a single release trigger. Accordingly, Applicants hereby elect the species wherein (1) the vesicles are not coated with an outer shell, (2) the vesicles do not comprise a disclosed compound, and (3) the structure is not adapted to be released. Claims 1-5 and 8 are believed to read on the elected species.

It is believed that this represents a complete response to the restriction and election requirements.

Please charge any fees required in connection with the present communication, or credit any overpayment, to Deposit Account No. 503915.

Respectfully submitted,

/Holly D. Kozlowski/

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